

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No.: 8:05-cr-401-JDW-TGW

ERNEST OLIVER

ORDER

Before the Court is Defendant's *pro se* construed motion for early termination of supervised release (Dkt. 315). The United States opposes the motion while acknowledging Defendant's positive progress (Dkt. 318). After careful consideration, Defendant's motion is **DENIED** without prejudice.

Defendant is a career offender. His original term of supervised release was revoked in January 2021 and he was sentenced to time served and a new 4 year term of supervised release imposed (Dkt. 313). He has been employed since January 2021 and is on a management track. His adjustment to supervision has been good.

Section 3583(e)(1) of Title 18, United States Code, authorizes early termination of supervision if warranted by a defendant's conduct and termination serves the interest of justice. Considering his criminal history, the nature of his underlying federal offense, his supervision history, and the factors in 18 U.S.C. § 3553(a), I find early termination is not warranted at this time. Early termination would not promote respect for the law or deterrence and would not serve the interest of justice.

DONE and **ORDERED** on April 26, 2023.

James D. Whittemore
JAMES D. WHITTEMORE
United States District Judge